

**Annual Administrative Code Supplement
1998 – 2000 Edition**

**INSURANCE BUREAU
PRELICENSURE EDUCATION**

R 500.1
Source: 1988 AACS.

R 500.2
Source: 1988 AACS.

R 500.3
Source: 1988 AACS.

R 500.4
Source: 1988 AACS.

R 500.5
Source: 1988 AACS.

R 500.6
Source: 1997 AACS.

DISCLOSURE OF MATERIAL TRANSACTIONS

R 500.51
Source: 1996 AACS.

R 500.52
Source: 1996 AACS.

R 500.53
Source: 1996 AACS.

R 500.54
Source: 1996 AACS.

MARINE, INLAND MARINE, AND TRANSPORTATION COVERAGES

R 500.301—R 500.309
Source: 1997 AACS.

REFUND OF UNEARNED PREMIUM ADJUSTMENT

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Source: 1982 AACS.

ELECTRONIC DATA PROCESSING EQUIPMENT DEFINITION

R 500.401
Source: 1997 AACS.

GENERAL RULES

R 500.402
Source: 1997 AACS.

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PROXIES, CONSENTS, AND AUTHORIZATIONS OF DOMESTIC STOCK COMPANIES

R 500.451—R 500.466

Source: 1997 AACS.

INSIDER TRADING OF EQUITY SECURITIES OF DOMESTIC STOCK INSURANCE COMPANIES

GENERAL PROVISIONS

R 500.501—R 500.519

Source: 1997 AACS.

REPLACEMENT OF LIFE INSURANCE POLICIES

R 500.601

Source: 1984 AACS.

R 500.602

Source: 1984 AACS.

R 500.603

Source: 1984 AACS.

R 500.604

Source: 1984 AACS.

R 500.605

Source: 1984 AACS.

R 500.606

Source: 1984 AACS.

DISCRETIONARY GROUP LIFE INSURANCE AND GROUP LIFE INSURANCE

R 500.611

Source: 1981 AACS.

R 500.612

Source: 1997 AACS.

R 500.616

Source: 1982 AACS.

VARIABLE CONTRACTS

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Source: 1988 AACS.

**SUSPENSION OR MODIFICATION OF FILING REQUIREMENTS
BY THE COMMISSIONER OF INSURANCE**

R 500.641

Source: 1981 AACS.

ACCIDENT AND SICKNESS INSURANCE ADVERTISING

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R 500.651
Source: 1991 AACS.

R 500.652
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R 500.654
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Source: 1991 AACS.

R 500.655a
Source: 1991 AACS.

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R 500.657
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R 500.658
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R 500.659
Source: 1997 AACS.

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R 500.663
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R 500.664
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R 500.669
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HOLDING COMPANIES

R 500.701—R 500.791
Source: 1997 AACS.

EXCESS LOSS INSURANCE FOR MULTIPLE EMPLOYER WELFARE ARRANGEMENTS
(MEWAS)

R 500.821

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Source: 1990 AACS.

R 500.822

Source: 1990 AACS.

R 500.823

Source: 1990 AACS.

R 500.824

Source: 1990 AACS.

SALVAGE AND SUBROGATION RECOVERIES

R 500.831 Rescinded.

History: 1954 ACS 98, Eff. Jan. 11, 1979; rescinded 1993 MR 10, Eff. Nov. 6, 1993.

LIFE INSURANCE CONTRACTS ON VARIABLE BASIS

R 500.841

Source: 1988 AACS.

R 500.843

Source: 1988 AACS.

R 500.844

Source: 1988 AACS.

R 500.845

Source: 1997 AACS.

R 500.845a

Source: 1988 AACS.

R 500.848

Source: 1988 AACS.

R 500.849

Source: 1988 AACS.

R 500.849a

Source: 1988 AACS.

R 500.850

Source: 1988 AACS.

R 500.851

Source: 1988 AACS.

R 500.852

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R 500.853

Source: 1988 AACS.

R 500.855

Source: 1988 AACS.

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R 500.856
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R 500.859
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R 500.860
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R 500.865
Source: 1988 AACS.

ACTUARIAL OPINIONS UNDER STANDARD VALUATION LAW

R 500.881
Source: 1995 AACS.

R 500.882
Source: 1995 AACS.

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R 500.884
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R 500.885
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R 500.886
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R 500.1041
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R 500.1043
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UNIFORM TRADE PRACTICES - INDEPENDENT HEARING OFFICER

R 500.1051

Source: 1983 AACS.

R 500.1053

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R 500.1055

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R 500.1057

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R 500.1059

Source: 1983 AACS.

CREDIT FOR REINSURANCE

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R 500.1122

Source: 1996 AACS.

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R 500.1124

Source: 1996 AACS.

R 500.1125

Source: 1996 AACS.

R 500.1126

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R 500.1127

Source: 1996 AACS.

R 500.1128

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R 500.1129

Source: 1996 AACS.

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Source: 1980 AACS.

R 500.1202

Source: 1980 AACS.

R 500.1203

Source: 1980 AACS.

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R 500.1204
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Source: 1980 AACS.

R 500.1207
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R 500.1208
Source: 1980 AACS.

R 500.1209
Source: 1980 AACS.

R 500.1210
Source: 1980 AACS.

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Source: 1984 AACS.

R 500.1222
Source: 1984 AACS.

R 500.1223
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R 500.1224
Source: 1984 AACS.

R 500.1225
Source: 1984 AACS.

PROPERTY AND CASUALTY INSURANCE COMPANY RESERVES

R 500.1231
Source: 1982 AACS.

R 500.1232
Source: 1982 AACS.

R 500.1233
Source: 1982 AACS.

R 500.1234
Source: 1982 AACS.

MORTALITY TABLE FOR INDIVIDUAL ANNUITY VALUATION

R 500.1241
Source: 1984 AACS.

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SURPLUS LINES INSURANCE FEES

R 500.1251

Source: 1981 AACS.

FIRE INSURANCE - WITHHOLDING

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Source: 1982 AACS.

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R 500.1268

Source: 1982 AACS.

R 500.1269

Source: 1982 AACS.

R 500.1270

Source: 1982 AACS.

R 500.1271

Source: 1982 AACS.

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Source: 1986 AACS.

R 500.1282

Source: 1986 AACS.

R 500.1283

Source: 1986 AACS.

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Source: 1986 AACS.

R 500.1285

Source: 1986 AACS.

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R 500.1291

Source: 1984 AACS.

FIRE AND INLAND MARINE INSURANCE RATES

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Source: 1980 AACS.

R 500.1302

Source: 1980 AACS.

R 500.1303

Source: 1980 AACS.

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Source: 1980 AACS.

R 500.1305

Source: 1980 AACS.

R 500.1306

Source: 1980 AACS.

R 500.1307

Source: 1980 AACS.

R 500.1308

Source: 1980 AACS.

R 500.1309

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R 500.1310

Source: 1980 AACS.

WORKERS' COMPENSATION INSURANCE

R 500.1351

Source: 1983 AACS.

R 500.1352

Source: 1983 AACS.

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Source: 1983 AACS.

R 500.1354

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R 500.1357

Source: 1983 AACS.

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R 500.1359

Source: 1983 AACS.

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Source: 1983 AACS.

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Source: 1983 AACS.

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Source: 1997 AACS.

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Source: 1983 AACS.

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Source: 1983 AACS.

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R 500.1387

Source: 1983 AACS.

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Source: 1981 AACS.

R 500.1502

Source: 1981 AACS.

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Source: 1981 AACS.

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Source: 1981 AACS.

R 500.1506

Source: 1981 AACS.

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R 500.1509
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R 500.1514
Source: 1981 AACS.

R 500.1515
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R 500.1517
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R 500.1518
Source: 1981 AACS.

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R 500.1520
Source: 1981 AACS.

R 500.1521
Source: 1981 AACS.

CREDIT INSURANCE AGE UNDERWRITING

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Source: 1983 AACS.

R 500.2032
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Source: 1983 AACS.

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R 500.2103
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R 500.2105
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R 500.2107
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R 500.2108
Source: 1983 AACS.

R 500.2109
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R 500.2110
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R 500.2111
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R 500.2112
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R 500.2113
Source: 1983 AACS.

R 500.2114
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R 500.2115
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R 500.2116
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R 500.2117
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R 500.2118
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R 500.2119
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R 500.2121
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R 500.2122
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R 500.2123

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Source: 1983 AACS.

R 500.2124

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R 500.2125

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R 500.2126

Source: 1983 AACS.

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Source: 1983 AACS.

R 500.2128

Source: 1983 AACS.

R 500.2129

Source: 1983 AACS.

R 500.2130

Source: 1983 AACS.

R 500.2131

Source: 1983 AACS.

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Source: 1983 AACS.

R 500.2133

Source: 1983 AACS.

R 500.2134

Source: 1983 AACS.

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Source: 1983 AACS.

R 500.2136

Source: 1983 AACS.

R 500.2137

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R 500.2138

Source: 1983 AACS.

R 500.2139

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R 500.2140

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R 500.2141

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Source: 1983 AACS.

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- R 501.4**
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- R 501.10**
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- R 501.251—R 501.271**
Source: 1997 AACS.

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R 550.5
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R 550.25
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R 550.30
Source: 1997 AACS.

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R 550.106
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R 550.107
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R 550.108
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CREDIT INSURANCE RATES, FORMS, AND STANDARDS

R 550.201
Source: 1995 AACS.

R 550.202
Source: 1995 AACS.

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Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.203

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.204

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.205

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.206

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.207

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.208

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.209

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.210

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.211

Source: 1995 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.212

Source: 1995 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.213

Source: 1987 AACS.

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Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.214

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.215

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.216

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.217

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.218

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.219

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.220

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

R 550.221

Source: 1987 AACS.

Editor's note: The rules of the Insurance Bureau, Department of Commerce, entitled "Credit Insurance Rates, Forms, and Standards," being R 550.101 to R 550.121 and appearing in Issue No. 6 of the 1987 Michigan Register, are renumbered R 550.201 to R 550.221.

CORPORATION AND SECURITIES BUREAU

LIVING CARE

PART 1. GENERAL PROVISIONS

R 554.1

Source: 1991 AACS.

R 554.2

Source: 1991 AACS.

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R 554.3
Source: 1991 AACS.

R 554.4
Source: 1991 AACS.

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R 554.42
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R 554.64
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R 554.68
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R 554.69
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R 554.70
Source: 1991 AACS.

R 554.71
Source: 1991 AACS.

CONDOMINIUMS

PART 1. GENERAL PROVISIONS

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Source: 1985 AACS.

R 559.102
Source: 1985 AACS.

R 559.103—R 559.105
Source: 1997 AACS.

R 559.106
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R 559.108
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R 559.109
Source: 1985 AACS.

R 559.110
Source: 1985 AACS.

R 559.111
Source: 1985 AACS.

R 559.112
Source: 1985 AACS.

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R 559.201
Source: 1997 AACS.

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R 559.301
Source: 1985 AACS.

PART 4. CONDOMINIUM SUBDIVISION PLAN

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Source: 1985 AACS.

R 559.403
Source: 1985 AACS.

R 559.405
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R 559.406
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R 559.407
Source: 1985 AACS.

R 559.409
Source: 1985 AACS.

R 559.410

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Source: 1985 AACS.

R 559.411

Source: 1985 AACS.

R 559.412

Source: 1997 AACS.

R 559.413

Source: 1985 AACS.

R 559.414

Source: 1997 AACS.

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R 559.501

Source: 1985 AACS.

R 559.502

Source: 1985 AACS.

R 559.503

Source: 1997 AACS.

R 559.505

Source: 1985 AACS.

R 559.511

Source: 1985 AACS.

R 559.515

Source: 1985 AACS.

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Source: 1997 AACS.

PART 7. PERMIT TO SELL AND SALES

R 559.701—R 559.704

Source: 1997 AACS.

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R 559.801—R 559.803

Source: 1997 AACS.

PART 9. DISCLOSURE STATEMENT

R 559.901

Source: 1985 AACS.

R 559.902

Source: 1985 AACS.

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Source: 1985 AACS.

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R 559.1001—R 559.1006

Source: 1997 AACS.

**DEPARTMENTS OF TREASURY, TRANSPORTATION, NATURAL RESOURCES, AND
COMMUNITY HEALTH
SUBDIVISIONS OF LAND**

PART 3. DEPARTMENT OF NATURAL RESOURCES

R 560.301

Source: 1988 AACS.

R 560.302

Source: 1988 AACS.

R 560.303 Floodplain limits; adoption of floodplain delineation reports by reference.

Rule 303. (1) The purpose of this rule is to prescribe methods to be used to define floodplain limits on lakes and watercourses.

(2) The department of environmental quality has approved published floodplain delineation reports, then the 100-year flood identified in the reports shall be used to define the limits of the floodplain for the lakes and watercourses covered by the reports. The department of environmental quality shall maintain the reports and review them for accuracy. The department of environmental quality shall maintain list of amendments or revisions to the floodplain maps contained in the reports. Upon request, the department of environmental quality shall provide the reports at no cost. The following published federal flood insurance studies are approved floodplain delineation reports and are adopted by reference in this rule:

(a) Alcona county:

Greenbush, township of, February, 1993.

(b) Allegan county:

(i) Allegan, city of, May, 1989.

(ii) Casco, township of, December, 1979.

(iii) Douglas, village of, August, 1979.

(iv) Ganges, township of, June, 1979.

(v) Laketown, township of, December, 1979.

(vi) Saugatuck, township of, August, 1979.

(vii) Saugatuck, village of, August, 1979.

(c) Alpena county:

Alpena, township of, February, 1993.

(d) Antrim county:

Milton, township of, August, 1982.

(e) Arenac county:

(i) Au Gres, city of, May, 1989.

(ii) Au Gres, township of, May, 1989.

(iii) Sims, township of, February, 1993.

(iv) Standish, township of, April, 1993.

(v) Whitney, township of, December, 1977.

(f) Barry county:

(i) Castleton, township of, May, 1988.

(ii) Hastings, city of, August, 1980.

(iii) Hastings, township of, December, 1980.

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(g) Bay county:

- (i) Bangor, township of, January, 1979.
- (ii) Bay City, city of, March, 1978.
- (iii) Essexville, city of, March, 1978.
- (iv) Frankenlust, township of, May, 1979.
- (v) Fraser, township of, June, 1993.
- (vi) Hampton, township of, February, 1978.
- (vii) Kawkawlin, township of, April, 1993.
- (viii) Merritt, township of, February 1978.
- (ix) Pinconning, city of, February, 1981.
- (x) Pinconning, township of, February, 1993. (xi) Portsmouth, township of, November, 1979 (h) Benzie county:

Frankfort, city of, March, 1991.

(i) Berrien county:

- (i) Benton, township of, June, 1977.
- (ii) Benton Harbor, city of, November, 1977.
- (iii) Bridgman, city of, May, 1979.
- (iv) Buchanan, city of, April, 1993.
- (v) Chikaming, township of, December, 1977.
- (vi) Coloma, township of, August, 1983.
- (vii) Grand Beach, village of, February, 1978.
- (viii) Hagar, township of, February, 1977.
- (ix) Lake, township of, May, 1979.
- (x) Lincoln, township of, May, 1977.
- (xi) Michiana, village of, November, 1977.
- (xii) New Buffalo, city of, June, 1979.
- (xiii) New Buffalo, township of, June, 1979.
- (xiv) Niles, city of, July, 1987.
- (xv) Royalton, township of, February, 1977.
- (xvi) St. Joseph, city of, December, 1976.
- (xvii) St. Joseph, township of, December, 1979.
- (xviii) Sodus, township of, June, 1977.
- (xix) Watervliet, city of, May, 1983.
- (xx) Watervliet, township of, May, 1983.

(j) Branch county:

- (i) Coldwater, city of, June, 1994.
- (ii) Coldwater, township of, June, 1994.

(k) Calhoun county:

- (i) Albion, city of, December, 1981.
- (ii) Albion, township of, April, 1982.
- (iii) Battle Creek, city of, October, 1982.
- (iv) Bedford, township of, August, 1982.
- (v) Emmett, township of, December, 1982.
- (vi) Homer, village of, November, 1981.
- (vii) Marengo, township of, November, 1981.
- (viii) Marshall, city of, October, 1981.
- (ix) Pennfield, township of, April, 1982.

(l) Charlevoix county:

- (i) Boyne City, city of, January, 1982.
- (ii) East Jordan, city of, January, 1982.

(m) Cheboygan county:

- (i) Cheboygan, city of, March, 1988.
- (ii) Grant, township of, January, 1989.

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- (n) Chippewa county:
Sault Ste. Marie, city of, May, 1988.
- (o) Clare county:
Clare, city of, February, 1992.
- (p) Clinton county:
(i) DeWitt, city of, June, 1979.
(ii) DeWitt, township of, December, 1980.
(iii) Ovid, village of, March, 1993.
(iv) Victor, township of, February, 1989.
(v) Watertown, charter township of, November, 1981.
- (q) Delta county:
(i) Brampton, township of, October, 1977.
(ii) Escanaba, city of, September, 1977.
(iii) Ford River, township of, June, 1977.
(iv) Gladstone, city of, September, 1977.
(v) Masonville, township of, September, 1978.
- (r) Eaton county:
(i) Charlotte, city of, January, 1981.
(ii) Delta, charter township of, September, 1980.
(iii) Dimondale, village of, March, 1980.
(iv) Eaton Rapids, city of, April, 1982.
(v) Eaton Rapids, township of, June, 1983.
(vi) Grand Ledge, city of, July, 1980.
(vii) Oneida, township of, January, 1981.
(viii) Windsor, charter township of, July, 1980.
- (s) Emmet county:
Harbor Springs, city of, November, 1976.
- (t) Genesee county:
(i) Argentine, township of, July, 1980.
(ii) Atlas, township of, December, 1978.
(iii) Burton, city of, February, 1980.
(iv) Clayton, township of, February, 1980.
(v) Clio, city of, March, 1980.
(vi) Davison, city of, March, 1978.
(vii) Davison, township of, December, 1978.
(viii) Fenton, city of, July, 1980.
(ix) Fenton, township of, July, 1980.
(x) Flint, city of, July, 1980.
(xi) Flint, township of, May, 1979.
(xii) Flushing, city of, December, 1978.
(xiii) Flushing, township of, August, 1980.
(xiv) Gaines, township of, June, 1979.
(xv) Genesee, township of, June, 1980.
(xvi) Goodrich, village of, March, 1978.
(xvii) Grand Blanc, city of, January, 1980.
(xviii) Grand Blanc, township of, February, 1980.
(xix) Linden, village of, May, 1980.
(xx) Montrose, township of, April, 1993.
(xxi) Mundy, township of, May, 1979.
(xxii) Mt. Morris, township of, August, 1980.
(xxiii) Swartz Creek, city of, May, 1979.
(xxiv) Vienna, township of, July, 1980.
- (u) Gogebic county:

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Ironwood, city of, January, 1978.
(v) Grand Traverse county:
Traverse City, city of, June, 1982.
(w) Gratiot county:
(i) Alma, city of, September, 1981.
(ii) St. Louis, city of, January, 1989.
(x) Hillsdale county:
(i) Hillsdale, city of, January, 1988.
(ii) Litchfield, city of, February, 1987.
(y) Houghton county:
Chassell, township of, December, 1990.
(z) Huron county:
(i) Caseville, township of, February, 1977.
(ii) Lake, township of, June, 1977.
(iii) Sebewaing, village of, December, 1987.
(aa) Ingham county:
(i) Delhi, township of, November, 1990.
(ii) East Lansing, city of, February, 1980.
(iii) Lansing, city of, November, 1990.
(iv) Lansing, township of, August, 1980.
(v) Locke, township of, September, 1981.
(vi) Mason, city of, April, 1982.
(vii) Meridian, charter township of, August, 1976.
(viii) Williamston, city of, October, 1981.
(ix) Williamstown, township of, October, 1981.
(bb) Ionia county:
(i) Ionia, city of, May, 1983.
(ii) Portland, city of, November, 1983.
(cc) Iosco county:
(i) Alabaster, township of, February, 1987.
(ii) AuSable, township of, January, 1988.
(iii) Baldwin, township of, June, 1994.
(iv) East Tawas, city of, June, 1994.
(v) Oscoda, township of, March, 1978.
(vi) Tawas, city of, June, 1994.
(dd) Iron county:
Iron River, city of, March, 1991.
(ee) Isabella county:
Mt. Pleasant, city of, February, 1982.
(ff) Jackson county:
(i) Blackman, township of, June, 1984.
(ii) Brooklyn, village of, December, 1981.
(iii) Concord, village of, September, 1981.
(iv) Jackson, city of, February, 1980.
(v) Summit, township of, April, 1982.
(gg) Kalamazoo county:
(i) Augusta, village of, September, 1981.
(ii) Charleston, township of, October, 1981.
(iii) Comstock, township of, May, 1982.
(iv) Galesburg, city of, October, 1981.
(v) Kalamazoo, city of, September, 1992.
(vi) Kalamazoo, township of, June, 1994.
(vii) Portage, city of, November, 1982.

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- (viii) Ross, township of, September, 1981.
- (hh) Kent county:
 - (i) Ada, township of, April, 1980.
 - (ii) Algoma, township of, July, 1984.
 - (iii) Caledonia, township of, January, 1981.
 - (iv) East Grand Rapids, city of, March, 1980.
 - (v) Grand Rapids, city of, November, 1982.
 - (vi) Grandville, city of, March, 1982.
 - (vii) Kentwood, city of, May, 1981.
 - (viii) Lowell, city of, November, 1982.
 - (ix) Plainfield, township of, July, 1980.
 - (x) Sparta, township of, July, 1984.
 - (xi) Sparta, village of, August, 1982.
 - (xii) Walker, city of, December, 1981.
 - (xiii) Wyoming, city of, February, 1992.
- (ii) Lapeer county:
 - (i) Almont, village of, February, 1981.
 - (ii) Imlay City, city of, January, 1981.
 - (iii) Lapeer, city of, January, 1992.
 - (iv) Lapeer, township of, February, 1990.
 - (v) Mayfield, township of, February, 1990.
- (jj) Leelanau county:
 - (i) Elmwood, township of, August, 1982.
 - (ii) Northport, village of, March, 1989.
 - (iii) Suttons Bay, village of, December, 1976.
- (kk) Lenawee county:
 - (i) Adrian, city of, January, 1982.
 - (ii) Adrian, township of, November, 1990.
 - (iii) Blissfield, village of, February, 1988.
 - (iv) Clinton, village of, January, 1982.
 - (v) Deerfield, village of, October, 1980.
 - (vi) Hudson, city of, May, 1981.
 - (vii) Tecumseh, city of, December, 1981.
- (ll) Livingston county:
 - (i) Fowlerville, village of, February, 1987.
 - (ii) Green Oak, township of, April, 1984.
 - (iii) Hamburg, township of, February, 1986.
 - (iv) Putnam, township of, December, 1988.
- (mm) Macomb county:
 - (i) Armada, village of, May, 1990.
 - (ii) Chesterfield, township of, January, 1978.
 - (iii) Clinton, township of, January, 1992.
 - (iv) Fraser, city of, October, 1978.
 - (v) Grosse Pointe Shores, village of, July, 1978.
 - (vi) Harrison, township of, November, 1980.
 - (vii) Macomb, township of, August, 1980.
 - (viii) Memphis, city of, May, 1988.
 - (ix) Mt. Clemens, city of, January, 1980.
 - (x) New Baltimore, city of, March, 1978.
 - (xi) New Haven, village of, March, 1980.
 - (xii) St. Clair Shores, city of, February, 1979.
 - (xiii) Shelby, township of, January, 1980.
 - (xiv) Sterling Heights, city of, May, 1986.

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- (xv) Utica, city of, August, 1980.
- (xvi) Washington, township of, December, 1981.
- (xvii) Warren, city of, May, 1986.
- (nn) Manistee county:
 - (i) Manistee, city of, March, 1987.
 - (ii) Manistee, township of, November, 1989.
 - (iii) Onekama, township of, November, 1977.
- (oo) Marquette county:
 - Chocolay, township of, May, 1987.
- (pp) Mason county:
 - (i) Hamlin, township of, December, 1987.
 - (ii) Summit, township of, December, 1987.
- (qq) Menominee county:
 - (i) Cedarville, township of, March, 1979.
 - (ii) Ingallston, township of, March, 1979.
 - (iii) Menominee, city of, February, 1978.
 - (iv) Menominee, township of, September, 1979.
 - (v) Stephenson, city of, November, 1976.
- (rr) Midland county:
 - Midland, city of, January, 1989.
- (ss) Monroe county:
 - (i) Ash, township of, May, 1982.
 - (ii) Bedford, township of, May, 1981.
 - (iii) Berlin, township of, May, 1982.
 - (iv) Dundee, village of, January, 1982.
 - (v) Erie, township of, March, 1978.
 - (vi) Estral Beach, village of, May, 1983.
 - (vii) Frenchtown, township of, March, 1977.
 - (viii) LaSalle, township of, August, 1977.
 - (ix) Luna Pier, city of, December, 1981.
 - (x) Milan, city of, February, 1982.
 - (xi) Milan, township of, June, 1982.
 - (xii) Monroe, city of, December, 1976.
 - (xiii) Monroe, township of, June, 1977.
 - (xiv) Raisinville, township of, February, 1982.
 - (xv) South Rockwood, village of, November, 1982.
 - (xvi) Whiteford, township of, October, 1980.
- (tt) Montcalm county:
 - (i) Eureka, township of, May, 1984.
 - (ii) Greenville, city of, May, 1983.
- (uu) Muskegon county:
 - (i) Laketon, township of, June, 1977.
 - (ii) Montague, city of, November, 1977.
 - (iii) Muskegon, city of, December, 1976.
 - (iv) Muskegon, township of, August, 1977.
 - (v) Muskegon Heights, city of, August, 1980.
 - (vi) North Muskegon, city of, January, 1976.
 - (vii) Norton Shores, city of, September, 1977.
 - (viii) Ravenna, village of, December, 1981.
 - (ix) Whitehall, city of, April, 1980.
 - (x) White River, township of, July, 1980.
- (vv) Newaygo county:
 - (i) Ashland, township of, May, 1989.

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- (ii) Bridgeton, township of, March, 1990.
- (iii) Brooks, township of, November, 1989.
- (iv) Garfield, township of, May, 1989.
- (v) Lincoln, township of, September, 1991.
- (ww) Oakland county:
 - (i) Auburn Hills, city of, January, 1979.
 - (ii) Beverly Hills, village of, December, 1978.
 - (iii) Bingham Farms, village of, July, 1984.
 - (iv) Birmingham, city of, November, 1979.
 - (v) Bloomfield, township of, November, 1987.
 - (vi) Bloomfield Hills, city of, January, 1984.
 - (vii) Clarkston, village of, September, 1982.
 - (viii) Commerce, township of, September, 1980.
 - (ix) Farmington, city of, January, 1980.
 - (x) Farmington Hills, city of, August, 1979.
 - (xi) Franklin, village of, June, 1981.
 - (xii) Highland, township of, July, 1983.
 - (xiii) Holly, village of, June, 1984.
 - (xix) Independence, township of, November, 1982.
 - (xv) Keego Harbor, city of, June, 1982.
 - (xvi) Lake Angelus, city of, April, 1986.
 - (xvii) Lake Orion, village of, March, 1981.
 - (xviii) Northville, city of, March, 1981.
 - (xix) Novi, city of, May, 1993.
 - (xx) Oakland, township of, June, 1982.
 - (xxi) Pontiac, city of, February, 1979.
 - (xxii) Rochester, city of, March, 1982.
 - (xxiii) Rochester Hills, city of, March, 1981.
 - (xxiv) Southfield, city of, March, 1979.
 - (xxv) Sylvan, city of, May, 1983.
 - (xxvi) Troy, city of, September, 1988.
 - (xxvii) Waterford, township of, August, 1982.
 - (xxviii) West Bloomfield, township of, September, 1982.
 - (xxix) White Lake, township of, August, 1984.
- (xx) Oceana county:
 - (i) Pentwater, township of, May, 1977.
 - (ii) Pentwater, village of, November, 1977.
- (yy) Ontonagon county:
 - Ontonagon, village of, May, 1983.
- (zz) Osceola county:
 - (i) Evart, city of, May, 1993.
 - (ii) Hersey, village of, September, 1991.
- (aaa) Ottawa county:
 - (i) Allendale, township of, July, 1982.
 - (ii) Coopersville, city of, September, 1982.
 - (iii) Ferrysburg, city of, August, 1977.
 - (iv) Georgetown, township of, February, 1992.
 - (v) Grand Haven, city of, May, 1977.
 - (vi) Grand Haven, township of, July, 1980.
 - (vii) Holland, city of, September, 1990.
 - (viii) Holland, township of, September, 1990.
 - (ix) Hudsonville, city of, June, 1984.
 - (x) Park, township of, November, 1977.

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- (xi) Port Sheldon, township of, November, 1977.
- (xii) Spring Lake, township of, May, 1977.
- (xiii) Spring Lake, village of, December, 1977.
- (xiv) Tallmadge, township of, September, 1982.
- (bbb) Saginaw county:
 - (i) Bridgeport, township of, September, 1983.
 - (ii) Buena Vista, township of, July, 1984.
 - (iii) Carrollton, township of, December, 1982.
 - (iv) Chesaning, village of, March, 1982.
 - (v) Frankenmuth, city of, March, 1982.
 - (vi) James, township of, September, 1991.
 - (vii) Kochville, township of, July, 1982.
 - (viii) Saginaw, city of, May, 1983.
 - (ix) Saginaw, township of, January, 1979.
 - (x) St. Charles, village of, April, 1983.
 - (xi) Spaulding, township of, December, 1978.
 - (xii) Taymouth, township of, December, 1988.
 - (xiii) Thomas, township of, July, 1982.
 - (xiv) Zilwaukee, city of, January, 1979.
 - (xv) Zilwaukee, township of, July, 1978.
- (ccc) St. Clair county:
 - (i) Algonac, city of, April, 1977.
 - (ii) China, township of, February, 1978.
 - (iii) Clay, township of, December, 1977.
 - (iv) Cottrellville, township of, March, 1980.
 - (v) East China, township of, January, 1978.
 - (vi) Fort Gratiot, township of, June, 1978.
 - (vii) Ira, township of, September, 1979.
 - (viii) Marine city, city of, February, 1979.
 - (ix) Memphis, city of, May, 1988.
 - (x) Port Huron, city of, June, 1978.
 - (xi) Port Huron, township of, September, 1991.
 - (xii) St. Clair, city of, December, 1977.
 - (xiii) St. Clair, township of, February, 1978.
- (ddd) St. Joseph county:
 - (i) Colon, township of, September, 1988.
 - (ii) Colon, village of, September, 1988.
 - (iii) Lockport, township of, February, 1989.
 - (iv) Nottawa, township of, March, 1989.
 - (v) Three Rivers, city of, December, 1990.
- (eee) Schoolcraft county:
 - Manistique, city of, December, 1990.
- (fff) Shiawassee county:
 - (i) Caledonia, township of, November, 1981.
 - (ii) Corunna, city of, January, 1986.
 - (iii) Owosso, city of, September, 1981.
 - (iv) Vernon, village of, May, 1988.
- (ggg) Tuscola county:
 - (i) Vassar, city of, June, 1989.
 - (ii) Wisner, township of, November, 1977.
- (hhh) Van Buren county:
 - (i) Bangor, city of, May, 1989.
 - (ii) Covert, township of, June, 1977.

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- (iii) South Haven, city of, September, 1979.
- (iv) South Haven, township of, November, 1979.
- (iii) Washtenaw county:
 - (i) Ann Arbor, city of, January, 1992.
 - (ii) Ann Arbor, township of, September, 1979.
 - (iii) Dexter, township of, February, 1987.
 - (iv) Manchester, village of, December, 1981.
 - (v) Milan, city of, February, 1982.
 - (vi) Northfield, township of, November, 1990.
 - (vii) Pittsfield, township of, May, 1991.
 - (viii) Saline, city of, July, 1983.
 - (ix) Scio, township of, August, 1989.
 - (x) Ypsilanti, city of, September, 1982.
 - (xi) Ypsilanti, township of, December, 1980.
- (jjj) Wayne county:
 - (i) Allen Park, city of, August, 1981.
 - (ii) Brownstown, township of, February, 1982.
 - (iii) Canton, township of, March, 1981.
 - (iv) Dearborn Heights, city of, November, 1982.
 - (v) Detroit, city of, April, 1984.
 - (vi) Ecorse, city of, November, 1977.
 - (vii) Flat Rock, city of, June, 1981.
 - (viii) Gibraltar, city of, December, 1978.
 - (ix) Grosse Ile, township of, February, 1980.
 - (x) Grosse Pointe Park, city of, July, 1978.
 - (xi) Grosse Pointe Shores, village of, July, 1978.
 - (xii) Huron, township of, October, 1986.
 - (xiii) Lincoln Park, city of, May, 1982.
 - (xiv) Livonia, city of, May, 1981.
 - (xv) Northville, city of, March, 1981.
 - (xvi) Northville, township of, March, 1981.
 - (xvii) Plymouth, city of, August, 1980.
 - (xviii) Plymouth, township of, September, 1980.
 - (xix) Redford, township of, September, 1980.
 - (xx) River Rouge, city of, March, 1977.
 - (xxi) Riverview, city of, March, 1981.
 - (xxii) Rockwood, city of, December, 1978.
 - (xxiii) Southgate, city of, March, 1978.
 - (xxiv) Sumpter, township of, November, 1980.
 - (xxv) Taylor, city of, October, 1986.
 - (xxvi) Trenton, city of, June, 1985.
 - (xxvii) Wayne, city of, February, 1980.
 - (xxviii) Westland, city of, July, 1984.
 - (xxix) Woodhaven, city of, February, 1986.
 - (xxx) Wyandotte, city of, November, 1977.

The documents listed in this subrule are available in limited quantity at no cost from the local unit of government involved; from the Michigan Department of Environmental Quality, Land and Water Management Division, P.O. Box 30458, Lansing, Michigan 48909-7958; or from the Federal Emergency Management Agency, Flood Map Distribution Center, 6930 (A-F) San Tomas Road, Baltimore, Maryland 21227-6227.

(3) If approved floodplain delineation reports are not available, or if a lake or watercourse is not covered by the reports, then a qualified professional who is licensed in this state and who is practicing in the area of his

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or her expertise shall determine the 100-year floodplain limits using acceptable engineering practice. The determination is subject to review and approval by the department of environmental quality.

(4) A person shall make an appeal from a determination made by the department of environmental quality with respect to subrule (3) of this rule in accordance with chapter 6 of Act No. 306 of the Public Acts of 1969, as amended, being SS24.301 to 24.306 of the Michigan Compiled Laws.

History: 1954 ACS 53, Eff. Feb. 14, 1968; 1954 ACS 73, Eff. Oct. 20, 1972; 1954 ACS 84, Eff. July 16, 1975; 1979 AC; 1988 MR 2, Eff. Feb. 19, 1988; 1998 MR 10, Eff. Oct. 28, 1998.

R 560.304 Building in areas affected by floodplains.

Rule 304. (1) The purpose of this rule is to prescribe minimum standards for a new development for residential purposes and occupancy within or affected by a floodplain.

(2) A proprietor shall file and record with the final plat restrictive deed covenants that state, in perpetuity, that no filling or occupation of the floodplain area will be allowed without approval of the department of environmental quality and that any building used or capable of being used for residential purposes and occupancy within or affected by the floodplain shall comply with all of the following requirements:

(a) Be located on a lot having a minimum buildable site of 3,000 square feet of its area at its natural grade above the elevation of the line defining the floodplain limits.

The buildable site shall exclude all setbacks and easements.

(b) Be served by streets within the proposed subdivision having surfaces not lower than 1 foot below the elevation defining the floodplain limits.

(c) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.

(d) Have openings into the basement not lower than the elevation defining the floodplain limits.

(e) Have basement walls and floors, if below the elevation defining the floodplain limits, that are watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in chapter 5 for type A construction and chapter 6 for class 1 loads found in the publication entitled "Flood Proofing Regulations," EP 1165 2 314, prepared by the office of the chief of engineers, United States Army, Washington, DC, March 1992. Figure 6 on page 14-5 of the regulations shows typical foundation drainage and waterproofing details. This document is adopted by reference in these rules and is available, at no cost, from the Department of Environmental Quality, Land and Water Management Division, P.O. Box 30458, Lansing, Michigan 48909-7958, or the Department of the Army, Corps of Engineers, Publications Depot, 890 S. Pickett, Alexandria, Virginia 22304. (f) Be equipped with a positive means of preventing sewer backup from sewer lines and drains that serve the building.

(g) Be properly anchored or weighted to prevent flotation. (3) The requirement that the building site have its natural grade above the floodplain limit in subrule (2) (a) of this rule may be waived if the building site is to be filled, the requirements of section 194(c) of the act and sections 3104, 3105, 3106, 3107, and 3108 of part 31 of Act No. 451 of 1994, being SS324.3104, 324.3105, 324.3106, 324.3107, and 324.3108 of the Michigan Compiled Laws, sections 30102 and 30106 of part 301 of Act No. 451 of the Public Acts of 1994, being SS324.30102 and 324.30106 of the Michigan Compiled Laws, and sections 30304 and 30311 of part 303 of Act No. 451 of the Public Acts of 1994, being SS324.30304 and 324.30311 of the Michigan Compiled Laws, where applicable, are met, and any 1 of the following occurs:

(a) The lowest floor, including the basement, will be constructed above the 100-year floodplain elevation.

(b) A licensed professional engineer schooled in the science of soil mechanics states all of the following:

(i) That the building site has been filled with soil of a type and in a manner that hydrostatic pressures are not exerted upon the basement walls or floor while the watercourse is at or below the 100-year flood elevation.

(ii) That the placement of the fill will prevent settling of the building or buckling of floors or walls.

(iii) That the building is equipped with a positive means of preventing sewer backup from sewer lines and drains that serve the building.

(c) A licensed professional engineer or architect certifies all of the following:

(i) That the basement walls and floors are designed to be watertight and to withstand hydrostatic pressure from a water level equal to the 100-year flood elevation.

(ii) That the building is properly anchored or weighted to prevent flotation.

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(iii) That the building is equipped with a positive means of preventing sewer backup from sewer lines and drains that serve the building.

(4) If the natural floodplain area is altered through the placement of fill or the watercourse is relocated or enclosed and the community within which the subdivision is located is a participant in the national flood insurance program, then the developer shall apply for and receive a letter of map revision based on fill from the federal emergency management agency before recording the final plat.

History: 1954 ACS 53, Eff. Feb. 14, 1968; 1954 ACS 73, Eff. Oct. 20, 1972; 1954 ACS 84, Eff. July 16, 1975; 1979 AC; 1988 MR 2, Eff. Feb. 19, 1988; 1998 MR 10, Eff. Oct. 28, 1998.

R 560.401 Definitions.

Rule 401. As used in this part:

- (a) "Groundwater" means the water in the ground that is in the zone of saturation.
- (b) "High groundwater elevation" means the elevation of the upper surface of the zone of saturation as may occur during the normally wet periods of the year.
- (c) "Sewage" means liquid wastes including human excreta and wastes from a sink, lavatory, bathtub, shower, laundry, or any other waste of organic nature singly or in any combination thereof.
- (d) "Surface water" means a body of water whose top surface is exposed to the atmosphere including a flowing body, a pond, or a lake.

History: 1954 ACS 53, Eff. Feb. 14, 1968; 1979 AC.

R 560.402 Site reports.

Rule 402. Each of the 2 copies of the preliminary plat submitted to the health department for review shall be accompanied by a copy of the site report compiled by a registered civil engineer or registered land surveyor. The site report shall contain the following information unless shown on the preliminary plat:

- (a) Name and location of proposed plat.
- (b) Names and addresses of the proprietor of the proposed plat and the registered civil engineer or registered land surveyor submitting the site report.
- (c) Statement of intended use of the proposed plat, such as, residential—single family, 2-family and multiple housing; commercial; industrial; recreational; or agricultural.
- (d) Statement of type of water and sewage system to be provided. (e) Statement of existing use of adjacent property and intended use of adjacent undeveloped land, if known, including any adjacent public owned lands.
- (f) Documented high surface water elevations in the case of waterfront property. On lakes where a legal level has been established, the legal level shall be shown.
- (g) Statement as to whether the high groundwater is less than or greater than 6 feet from either the existing or proposed finished ground surface. In those cases where the groundwater is less than 6 feet, the groundwater level shall be specified. A statement as to how and when the high groundwater level was established shall be included. (h) The drawing shall indicate existing and proposed 5 foot contour intervals. In the case of waterfront property or where the high groundwater elevation is within 6 feet of existing or proposed finished ground surface, show existing and proposed 2 foot contour intervals. The health department may waive the requirements for contours when the lots in the subdivision exceed 1 acre. When extensive cutting or filling of land is anticipated that will affect building sites and sewage disposal facilities the areas involved shall be indicated. The source, if known, and the type of fill material to be used when filling is anticipated shall be specified.
- (i) Location of flood plain areas, rivers, streams, creeks, lakes, county drains, lagoons, slips, waterways, bays, canals, and artificial impoundments, either existing or proposed, within or adjacent to the area to be platted.
- (j) Location and results of all percolation tests and soil borings performed on the site. Percolation tests should be provided on the basis of at least 1 per acre or 1 per lot if lots exceed 1 acre in size. The health department may modify this requirement based on local conditions. As an example, a soil survey map prepared by a competent soil scientist with an indication of approximate percolation rates for certain categories of soils which have been determined to exist in the proposed plat area may be used to reduce the number of required percolation tests. (k) When requested by the health department, a report of soil

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limitations based on site inspection carried out by a soil specialist qualified in the area of soil classification and mapping including soils information as may be obtained from a modern soil map which meets the standards of the national cooperative soil survey. The source of information shall be specified.

(l) Statement of the availability of water of good quality for domestic use on the land proposed to be subdivided. If questionable, the health department may require an estimate as to the availability of quality water prepared by and based upon a study by a registered civil engineer or hydrogeologist competent in the field of water supply. (m) The location of existing facilities and structures, such as buildings, sewage systems, high tension towers, utility easements of record or in use, excavations, bridges, and culverts. (n) Building set back lines from road or waterfront if such are established or proposed.

(o) The indication by arrows of the storm drainage flow direction from the platted area including any affected public or private road.

History: 1954 ACS 53, Eff. Feb. 14, 1968; 1979 AC.

R 560.403 Domestic water supply.

Rule 403. In determining availability of adequate and potable sources of water for domestic purposes, the following items shall be considered:

(a) The water quantity shall be sufficient to supply demands of the peak periods for domestic use based upon the nature, size and type of home or other type of establishments being proposed. The health department if deemed necessary may require well logs and pumping records from nearby developments and test wells and pumping tests in sufficient number to demonstrate that an adequate supply is available on each lot.

(b) The chemical and bacteriological quality of the water shall be acceptable to the health department. In addition to being safe and palatable, the water shall not be excessively corrosive nor contain substances which would make it unfit for domestic uses unless such substances can be satisfactorily and economically removed. Chemical and bacteriological tests may be required.

(c) The source of individual water supplies shall be protected from possible pollution. Sufficient area shall be available on each lot to assure isolation distances from sources of pollution as provided under R 325.1451 to R 325.1461 and R 325.1601 to R 325.1722 of the Michigan Administrative Code. In addition, the minimum isolation distances may be increased where the depth to the aquifer or the nature of the overburden material is not sufficient to protect adequately the water from possible pollution.

History: 1954 ACS 53, Eff. Feb. 14, 1968; 1979 AC.

R 560.404 On-site sewage disposal.

Rule 404. (1) In determining suitability of the proposed subdivision for the disposal of sewage through systems dependent on subsurface disposal of liquid domestic wastes, the following items shall be considered:

(a) The high water table elevation, which is that elevation at which groundwater may be present during the normally wet periods of the year. Site evaluations shall include an evaluation of the soil profile characteristics to consider the soil drainage condition, soil color, mottling and organic matter, and such other profile features as may indicate the presence or absence of a fluctuating water table. (b) Sufficient borings may be required to determine the depth to rock formations or other impervious strata where such are within 6 feet of the final grade in the proposed plat. Impervious strata shall be considered to be any ground condition or soil type where the percolation rate exceeds 60 minutes per inch.

(c) The relation of existing and proposed drainage areas or flood hazard zones.

(d) In conducting reviews of soil conditions to determine suitability of the soil for sewage disposal, factors such as swelling, clogging, topography, and seasonal hydrologic conditions shall be considered in addition to percolation tests. Percolation tests shall be conducted in accordance with procedures consistent with the department of public health's engineering division bulletin no. 2, "Questions and Answers About Home Sewage Disposal."

(e) The adequacy of lot sizes, each of which shall provide sufficient area of suitable soil for the building site and for present and future sewage disposal use in a location that will be properly isolated from streams, county drains or storm water drains, lakes, wells, property lines, embankments or other features which may adversely influence the operation and maintenance of the system or create a condition

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of hazard to the public health.

(2) Due to extenuating local circumstances the health department responsible for the enforcement of this rule may modify its provisions. The modifications shall be supported by local ordinance or rules and be made in writing to the proprietor with a copy to the director of the state department of public health either increasing or decreasing the requirements and the health department shall state the justification for each modification.

History: 1954 ACS 53, Eff. Feb. 14, 1968; 1979 AC.

COMMUNITY PUBLIC HEALTH AGENCY
CRIPPLED CHILDREN COMMISSION
PROCEDURE FOR CONDUCTING HEARINGS

R 722.1—R 722.8
Source: 1997 AACS.

DIVISION OF SERVICES TO CRIPPLED CHILDREN
HOSPITAL AND MEDICAL TREATMENT FOR CRIPPLED CHILDREN
PART 1. GENERAL PROVISIONS

R 722.601—R 722.619
Source: 1997 AACS.

PART 2. AUTHORIZATION OF CARE AND TREATMENT

R 722.621—R 722.629
Source: 1997 AACS.

PART 3. HOSPITAL CARE AND TREATMENT

R 722.631—R 722.638
Source: 1997 AACS.

PART 4. MEDICAL CARE AND TREATMENT

R 722.641
Source: 1997 AACS.

R 722.642
Source: 1997 AACS.

FAMILY INDEPENDENCE AGENCY
STATE CHILD ABUSE AND NEGLECT PREVENTION BOARD
CHILDREN'S TRUST FUND GRANT PROGRAM

R 722.751
Source: 1986 AACS.

R 722.752
Source: 1986 AACS.

R 722.753

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Source: 1986 AACS.

R 722.754

Source: 1986 AACS.

R 722.755

Source: 1986 AACS.

R 722.756

Source: 1986 AACS.

DEPARTMENT OF CORRECTIONS

BUREAU OF CORRECTIONAL FACILITIES

JAILS, LOCKUPS, AND SECURITY CAMPS

PART 1. GENERAL PROVISIONS

R 791.501 - R 791.655 Rescinded.

History: 1954 ACS 84, Eff. Sept. 3, 1975; 1979 AC; rescinded 1998 MR 8, Eff. Aug 13, 1998.

DEPARTMENT OF CORRECTIONS

BUREAU OF CORRECTIONAL FACILITIES

JAILS, LOCKUPS, AND SECURITY CAMPS

R 791.701 Rescission.

Rule 1. The rules of the department entitled "Jails and Lockups" being R 791.501 through 791.665 of the Michigan Administrative Code and appearing on pages 5117 through 5143 of the 1979 Michigan Administrative Code, are rescinded.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.702 Definitions.

Rule 2. (1) as used in these rules:

- (a) "Department" means the Department of Corrections.
 - (b) "Detoxification Cell" means a cell used to temporarily hold 1 or more chemically impaired persons during the detoxification process until they can care for themselves and be moved to general housing areas.
 - (c) "Director" means the Director of the Department of Corrections.
 - (d) "Drugs" means any prescribed medicine or controlled substance.
 - (e) "Facility" means a jail or lockup including buildings and site.
 - (f) "Security Area" means a defined space whose physical boundaries have controlled access and egress.
- (2) A term defined in the Act has the same meaning when used in these rules.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.703 Firearms training.

Rule 3. A facility shall establish and maintain Written policy, and practice which provides that all personnel authorized to use firearms receive appropriate training before being assigned to a post involving the possible use of such weapons. Firearms training covers the use, safety, and care of firearms and the constraints on their use. All personnel authorized to use firearms must demonstrate competency in their use at least annually.

History: 1998 MR 8, Eff. Aug. 13, 1998.

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R 791.704 Chemical agents.

Rule 4. All personnel authorized to use chemical agents shall receive appropriate training in their use and in the treatment of individuals exposed to a chemical agent.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.705 Exits

Rule 5. A facility shall have exits that are properly positioned, clear, and distinctly and permanently marked to ensure the timely evacuation of inmates and staff in the event of fire or other emergency. All housing areas and places of assembly shall have two exits.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.706 Medical treatment.

Rule 6. A facility shall establish and maintain Written policy, procedure, and practice which provide that all persons injured in an incident receive immediate medical examination and treatment.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.707 Use of force.

Rule 7. A facility shall establish and maintain Written policy, procedure, and practice which restrict the use of physical force to instances of justifiable self-defense, protection of others, protection of property, and prevention of escapes, and then only as a last resort and in accordance with appropriate statutory authority. In no event is physical force justifiable as punishment. A written report is prepared following all uses of force and is submitted to administrative staff for review.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.708 Firearms.

Rule 8. A facility shall establish and maintain Written policy and procedure which govern the use of firearms and include the following requirements:

- (a) Weapons are subjected to safety regulations and inspections.
- (b) A secure weapons locker is located outside the security perimeter of the facility.
- (c) Except in emergency situations, firearms and impact weapons are permitted only in designated areas within the secured confines of the facility.
- (d) Employees supervising inmates outside the facility perimeter shall follow facility procedures for the security of weapons and use of force.
- (e) Employees on duty shall only use firearms or other security equipment that has been approved through facility policies.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.709 Fire safety.

Rule 9. A facility shall conform to applicable federal, state, and/or local fire safety codes. Facility will obtain evidence of compliance with applicable fire safety code. A fire alarm and automatic detection system are required, as approved by the authority having jurisdiction, or there is a plan for addressing these or other deficiencies within a reasonable time period.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.710 Fire prevention.

Rule 10. A facility shall establish and maintain Written policy and procedure which specify the facility's fire prevention regulations and practices to provide for the safety of staff, inmates, and visitors. These include, but are not limited to, the following:

- (a) Provision for accessible, timely and responsive fire protection service.
- (b) A system of fire inspection and testing of equipment at least quarterly.
- (c) An annual inspection by local or state fire officials or other qualified person(s).
- (d) Availability of fire hoses or extinguishers at appropriate locations throughout the facility.

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History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.711 Fire inspections.

Rule 11. A facility shall establish and maintain Written policy, procedure, and practice which provide for a comprehensive monthly inspection of the facility by a trained person designated by the facility administrator. This policy and procedure is reviewed annually and updated as needed.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.712 Fire safety requirements of furnishings.

Rule 12. Specifications for the selection and purchase of facility furnishings shall indicate the fire safety performance requirements of the materials selected.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.713 Ashtrays.

Rule 13. If smoking is permitted, A facility shall be equipped with noncombustible receptacles for smoking materials and separate containers for other combustible refuse at accessible locations throughout living quarters in the facility. All receptacles and containers SHALL BE emptied and cleaned daily.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.714 Flammables, toxics.

Rule 14. A facility shall establish and maintain Written policy, procedure, and practice which govern the control and use of all flammable, toxic, and caustic materials. Special containers are provided for flammable liquids and for rags used with flammable liquids.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.715 Written emergency plans.

Rule 15. All staff shall be trained to respond to emergencies in accordance with written emergency plans.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.716 Evacuation plans.

Rule 16. A facility shall establish and maintain a written evacuation plan to be used in the event of fire or major emergency. The plan is approved in writing by an independent, outside inspector trained in the application of national fire safety codes and is reviewed annually, updated if necessary, and reissued. The plan shall include the following:

- (a) Location of building/room floor plans.
- (b) Use of exit signs and directional arrows for traffic flow.
- (c) Location of publicly posted evacuation plan.
- (d) At least quarterly drills in all facility locations which may include staff drills.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.717 Emergency release of inmates.

Rule 17. A facility shall establish and maintain Written policy, procedure, and practice which specify the means for the expeditious release of inmates from locked areas in case of emergency and provide for a backup system regarding the placement of inmates.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.718 Sexurity threats.

Rule 18. A Facility shall establish and maintain written plans that specify the procedures to be followed in situations that threaten facility security. Such situations include but are not limited to: riots; hunger strikes; disturbances; and the taking of hostages. These plans are made available to all applicable personnel, are reviewed at least annually, and updated as needed.

History: 1998 MR 8, Eff. Aug. 13, 1998.

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R 791.719 Inmate rights.

Rule 19. A facility shall establish and maintain Written policy, procedure, and practice that shall protect inmates from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment which would constitute a civil or criminal violation.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.720 Dietary allowances.

Rule 20. A facility shall maintain documentation that the facility's dietary allowances are reviewed at least annually by a dietician. Menu evaluations are conducted at least quarterly by facility food service supervisory staff to verify adherence to the established basic daily servings.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.721 Special diets.

Rule 21. A facility shall establish and maintain Written policy, procedure, and practice which provide for special diets as prescribed by appropriate medical or dental personnel.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.722 Food service health safety.

Rule 22. If required to be inspected by state law, the facility shall be inspected by local public health authority; if not required, a trained health inspector must certify compliance with applicable federal law.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.723 Food service health policy.

Rule 23. A facility shall establish and maintain Written policy, procedure, and practice which provide for adequate health protection for all inmates and staff in the facility and inmates and other persons working in food service where required by laws and regulations applicable to food service employees in the community where the facility is located.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.724 Food service inspections.

Rule 24. A facility shall establish and maintain Written policy, procedure, and practice which require weekly inspections of all food service areas, including dining and food preparation areas and equipment, by administrative, medical, or dietary personnel; these may include the person supervising food service operations or their designee. Refrigerator and dishwashing water temperatures are checked daily by administrative, medical, or dietary personnel.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.725 Sanitation inspections.

Rule 25. A facility shall establish and maintain Written policy, procedure, and practice which require the following inspections:

(a) Weekly sanitation inspections of all facility areas by a trained person designated by the facility administrator.

(b) At least annual inspections by federal, state, and/or local sanitation and health officials if federal, state, and/or local standards are applicable.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.726 Water supply.

Rule 26. A facility's potable water source and supply shall meet the standards of Michigan's Safe Drinking Water Act, PA 399 of 1976.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.727 Waste disposal.

Rule 27. A facility shall establish and maintain a written plan that provides for the appropriate disposal

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of liquid, solid, and toxic wastes.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.728 Housekeeping/vermin/pests.

Rule 28. A facility shall establish and maintain a written plan for the control of vermin and pests that includes, at a minimum, monthly inspections by a trained person designated by the facility administrator.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.729 Health care.

Rule 29. A facility shall establish and maintain Written policy, procedure, and practice which provide that all medical, psychiatric, and dental matters involving medical judgment are the sole province of the responsible physician and dentist, or other qualified health professional.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.730 Health care personnel qualifications.

Rule 30. Personnel who provide health care services to inmates shall be licensed by the State of Michigan when required. Verification of current credentials and job descriptions shall be on file in the facility.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.731 Pharmaceuticals.

Rule 31. (1) The administrator and/or medical director shall establish policies and procedures which comply with local, state, and federal regulations governing the distribution, dispensing, prescribing, administration or disposal of any controlled substance or prescribed medication affecting an inmate. (2) Drugs may be dispensed for patients only pursuant to the written orders of a licensed practitioner acting within the scope of their license.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.732 Booking and intake health screening.

Rule 32. A facility shall establish and maintain Written policy, procedure, and practice which require medical, dental, and mental health screening to be performed on all inmates by a trained staff member designated by the facility administrator. All findings are recorded on a form approved by the facility's designated health authority. The screening includes at least the following:

(1) Inquiry into:

(a) Current illness and health problems, including venereal diseases and other infectious diseases.

(b) Dental problems.

(c) Mental health problems.

(d) Use of alcohol and other drugs, including type(s) of drugs used, mode of use, amounts used, frequency used, date or time of last use, and history of any problems that may have occurred after ceasing use (e.g., convulsions).

(e) Past and present treatment or hospitalization for mental disturbance or suicide.

(f) Possibility of pregnancy.

(g) Other health problems designated by the responsible physician.

(2) Observation of:

(a) Behavior, including state of consciousness, mental status, appearance, conduct, tremor, and sweating.

(b) Body deformities, ease of movement, etc.

(c) Condition of skin, including trauma markings, bruises, lesions, jaundice, rashes and infestations, and needle marks or other indications of drug abuse.

(3) Medical disposition of inmate shall be to one of the following:

(a) General population.

(b) General population with prompt referral to appropriate health care service.

(c) Referral to appropriate health care service for emergency treatment.

History: 1998 MR 8, Eff. Aug. 13, 1998.

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R 791.733 Health appraisals.

Rule 33. (1) A facility shall establish and maintain Written policy, procedure, and practice which require that a health appraisal for each inmate is completed by a trained health care person within 14 days after arrival at the facility. If there is documented evidence of a health appraisal within the previous 90 days, a new health appraisal is not required except as determined by the designated health authority. Health appraisal includes at least the following:

- (a) Review screening performed pursuant to R 791.732 "Booking and Intake Health Screening."
 - (b) Collection of additional data to complete the medical, dental, mental health, and immunization histories.
 - (c) Laboratory and/or diagnostic tests to detect communicable disease, including venereal disease and tuberculosis.
 - (d) Recording of height, weight, pulse, blood pressure, and temperature.
 - (e) Other tests and examinations as appropriate.
 - (f) Medical examination, including review of mental and dental status.
 - (g) Review of the results of the medical examination, tests, and identification of problems by a physician or other qualified health care personnel, if such is authorized in the medical practice act.
 - (h) Initiation of therapy when appropriate.
 - (i) Development and implementation of treatment plan, including recommendations concerning housing, job assignment, and program participation.
- (2) An inmate diagnosed as being contagious shall be removed from the facility or quarantined in quarters well ventilated and separate from other inmates. In a case of suspected contagion, the administrator shall consult with the facility's designated health authority or the local health department.

(3) If, in the opinion of a licensed physician, an inmate needs hospitalization, the administrator as directed by the physician shall deliver the inmate to the nearest hospital or to any hospital designated by the county.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.734 Inmate participation in research.

Rule 34. A facility shall establish and maintain Written policy and practice which prohibit the use of inmates for medical, pharmaceutical, or cosmetic experiments. This policy does not preclude individual treatment of an inmate based on the need for a specific medical procedure that is not generally available.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.735 Detoxification cells.

Rule 35. (1) A facility shall maintain A detoxification cell which shall provide unobstructed supervision and observation of the entire detoxification cell area.

This shall be accomplished by:

- (a) Locating all detoxification cells near an officer duty station that is staffed 24 hours a day that is constructed to provide personal visual observation of the entire detoxification cell, or
- (b) Electronic camera(s) which are continuously monitored in the officer's duty station.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.736 Holding cells.

Rule 36. (1) A jail or lockup shall provide one group holding cell with not less than 150 square feet of floor area. Capacities of all group holding cells will be determined at 15 square feet of floor space per inmate, excluding benches. (2) A holding cell shall provide unobstructed supervision and observation of the entire holding cell area. This shall be accomplished by:

- (a) Locating holding cells near an officer duty station that is staffed 24 hours a day, or
- (b) Electronic camera(s) which are continuously monitored in the officer's duty station.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.737 Staffing

Rule 37. When housing inmates, a facility shall be staffed to provide proper security and correctional control.

- (1) The administrator shall supervise, schedule and control all personnel working in the facility.

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- (2) Not less than 1 corrections officer shall be provided for each floor or security area that is occupied.
- (3) All detoxification and holding cell(s) duty stations shall be staffed continually when the cell(s) is occupied
- (4) Sufficient number of personnel shall be provided to perform ancillary functions such as movement of inmates to medical, visitation, recreation, or other inmate programs, scheduled or unscheduled.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.738 Safety and maintenance.

Rule 38. (1) The administrator shall develop and implement safety standards which will protect the health and welfare of inmates and staff.

(2) equipment and structures shall be maintained.

History: 1998 MR 8, Eff. Aug. 13, 1998.

R 791.739 Classification.

Rule 39. A facility shall establish and maintain Written policy, procedure, and practice which provide for a written inmate classification plan that defines the level of custody required, housing assignment, and participation in correctional programs. The plan shall be reviewed at least annually and updated if necessary.

History: 1998 MR 8, Eff. Aug. 13, 1998.

DEPARTMENT OF CORRECTIONS
GENERAL RULES

PART 1. GENERAL PROVISIONS

R 791.1101

Source: 1993 AACS.

R 791.1105

Source: 1997 AACS.

R 791.1115

Source: 1989 AACS.

PART 2. ORGANIZATION AND OPERATION OF DEPARTMENT

R 791.2201

Source: 1997 AACS.

R 791.2205

Source: 1993 AACS.

R 791.2210

Source: 1989 AACS.

R 791.2215

Source: 1997 AACS.

R 791.2220

Source: 1993 AACS.

R 791.2225

Source: 1997 AACS.

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R 791.2230

Source: 1997 AACS.

R 791.2235

Source: 1997 AACS.

R 791.2240

Source: 1997 AACS.

R 791.2245

Source: 1997 AACS.

PART 3. PRISONER HEARING PROCEDURES

R 791.3301

Source: 1987 AACS.

R 791.3310

Source: 1989 AACS.

R 791.3315

Source: 1987 AACS.

R 791.3320

Source: 1987 AACS.

R 791.3325

Source: 1997 AACS.

PART 4. PRISONER CLASSIFICATION AND TRANSFER

R 791.4401

Source: 1993 AACS.

R 791.4405

Source: 1997 AACS.

R 791.4410

Source: 1993 AACS.

R 791.4415

Source: 1993 AACS.

R 791.4420

Source: 1993 AACS.

R 791.4425

Source: 1993 AACS.

R 791.4430

Source: 1997 AACS.

R 791.4435

Source: 1997 AACS.

R 791.4440

Source: 1997 AACS.

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PART 5. PRISONER MISCONDUCT

R 791.5501

Source: 1987 AACS.

R 791.5505

Source: 1995 AACS.

R 791.5510

Source: 1989 AACS.

R 791.5513 Forfeiture of good time and disciplinary credit.

Rule 513. (1) A prisoner who is found guilty of 1 or more of the following violations of prison rules, or of an attempt or conspiracy to violate these rules, or of acting as an accomplice to a violation may forfeit additional earned and special good time and disciplinary credits, for each violation, as follows:

(a) Up to all earned and special good time and disciplinary credits for any of the following major misconduct:

- (i) Assault resulting in serious physical injury.
- (ii) Sexual assault.
- (iii) Homicide.
- (iv) Inciting to riot or strike; rioting or striking.
- (v) Escape.

(vi) Possession of a weapon. The

(b) Up to 2 years of earned and special good time and disciplinary credits for any of the following major misconduct:

- (i) Fighting.
- (ii) Threatening behavior.
- (iii) Failure to disperse.
- (iv) Creating a disturbance.
- (v) Destruction or misuse of property with a value of \$10.00 or more.
- (vi) Possession of dangerous contraband.
- (vii) Bribery.
- (viii) Possession of money.
- (ix) Sexual misconduct.
- (x) Any act that constitutes a felony under state law.
- (xi) Substance abuse.
- (xii) Assault and battery.
- (xiii) Smuggling.

(c) Up to 1 year of earned and special good time and disciplinary credits for any of the following major misconduct:

- (i) Disobeying a direct order.
- (ii) Forgery.
- (iii) Interference with the administration of rules.
- (iv) Insolence.
- (v) Theft; possession of stolen property.
- (vi) Failure to maintain employment.
- (vii) Unauthorized occupation of a cell or room.
- (viii) Out of place.
- (ix) Gambling; possession of gambling paraphernalia.

(2) Within the limits set forth in this rule, the warden shall determine the amount of earned and special good time and disciplinary credits that the prisoner forfeits, if any, pursuant to subrule (1) of this rule.

History: 1979 ACS 1, Eff. Feb. 23, 1980; 1987 MR 4, Eff. May 7, 1987; 1989 MR 12, Eff. Jan. 2, 1990; 1993 MR 10, Eff. Oct. 30, 1993; 1998 MR 11, Eff. Dec. 2, 1998.

R 791.5515 Addition and reduction the disciplinary time.

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Rule 515. (1) As used in this rule, "prisoner subject to disciplinary time" has the same meaning as defined in section 34(5) of Act No. 218 of the Public Acts of 1994, being S800.34(5) of the Michigan Compiled Laws.

(2) A prisoner subject to disciplinary time who is found guilty of any of the following violations of prison rules, of an attempt or conspiracy to violate these rules, or of acting as an accomplice to violate these rules shall accumulate the following amount of disciplinary time for each violation, which shall be submitted to the parole board for consideration at the time of the prisoner's parole review or interview:

(a) All disciplinary time for the major misconduct of homicide.

(b) One hundred eighty days of disciplinary time for any of the following major misconducts:

(i) Any act that constitutes a felony under state law.

(ii) Assault resulting in serious physical injury.

(iii) Escape.

(iv) Insighting to riot or strike; riding or striking.

(v) Possession of a weapon.

(vi) Sexual assault.

(c) Thirty-five days of disciplinary time for any of the following major misconducts:

(i) Assault and battery.

(ii) Creating a disturbance.

(iii) Possession of dangerous contraband.

(iv) Possession of money.

(v) Substance abuse.

(vi) Failure to disperse.

(d) Fifteen days of disciplinary time for any of the following major misconducts:

(i) Bribery.

(ii) Fighting.

(iii) Sexual misconduct.

(iv) Threatening behavior.

(v) Smuggling.

(e) Ten days of disciplinary time for any of the following major misconducts:

(i) Destruction or misuse of property with the value of \$10.00 or more.

(ii) Disobeying a direct order.

(iii) Insolence.

(iv) Theft; possession of stolen property.

(v) Unauthorized occupation of the cell or room.

(f) Seven days of disciplinary time for any of the following major misconducts:

(i) Failure to maintain employment.

(ii) Gambling; possession of gambling paraphernalia.

(iii) Interference with the administration of rules.

(iv) Out of place.

(v) Possession of forged documents; forgery.

(3) If a prisoner is found guilty of more than 1 violation arising from a single incident, then the disciplinary time accumulated for each violation shall run concurrently.

(4) Disciplinary time that is been accumulated maybe reduced for exemplary good conduct. The director shall establish the amount, if any, of disciplinary time accumulated pursuant to subrule (2) of this rule that maybe reduced or exemplary good conduct.

(5) The director shall establish the amount, if any, of disciplinary time deducted pursuant to subrule (4) of this rule to be restored if a prisoner is subsequently found guilty of a major misconduct.

(6) Notwithstanding subrules (2), (3), and (5) of this rule, a prisoner's minimum sentence plus disciplinary time shall not exceed the prisoner's maximum sentence.

History: 1998 MR 11, Eff. Dec. 2, 1998.

PART 6. PRISONER RIGHTS AND PRIVILEGES

Annual Administrative Code Supplement
1998 – 2000 Edition

R 791.6601

Source: 1997 AACS.

R 791.6603

Source: 1993 AACS.

R 791.6605 Access to news media and interviews; suspension during emergencies.

Rule 605. (1) A prisoner shall be allowed uncensored correspondence with a news media representative subject to R 791.6603.

(2) A prisoner shall be allowed telephone access to a news media representative subject to reasonable regulation. Access by a prisoner in a facility also is subject to R 791.6638.

(3) A prisoner in a facility may be personally interviewed by a news media representative only during a visit conducted under R 791.6607 to R 791.6611 and R 791.6614, except that a prisoner on community status under R 791.4410 shall not be personally interviewed in a community corrections center. A news media representative shall not be allowed to use or possess a camera or other audio or visual recording device while on a visit with a prisoner.

(4) Except if housed in a facility, a parolee or a probationer may be personally interviewed by a news media representative unless interviews are not permitted by an order of probation or parole.

(5) The warden may temporarily suspend prisoner access to the news media during emergencies or disorders. Such suspension shall end with the return to normalcy.

(6) Nothing in this rule creates an enforceable right of a prisoner, the news media, or a news media representative.

History: 1954 ACS 93, Eff. Nov. 30, 1977; 1979 AC; 1987 MR 4, Eff. May 7, 1987; 2000 MR 4, Eff. Apr. 6, 2000.

R 791.6607

Source: 1995 AACS.

R 791.6609

Source: 1995 AACS.

R 791.6611

Source: 1995 AACS.

R 791.6613

Source: 1997 AACS.

R 791.6614

Source: 1995 AACS.

R 791.6615

Source: 1997 AACS.

R 791.6617

Source: 1997 AACS.

R 791.6619

Source: 1997 AACS.

R 791.6621

Source: 1997 AACS.

R 791.6623

Source: 1997 AACS.

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R 791.6625
Source: 1997 AACS.

R 791.6627
Source: 1997 AACS.

R 791.6629
Source: 1997 AACS.

R 791.6631
Source: 1997 AACS.

R 791.6633
Source: 1997 AACS.

R 791.6635
Source: 1997 AACS.

R 791.6637
Source: 1997 AACS.

R 791.6638
Source: 1995 AACS.

R 791.6639
Source: 1993 AACS.

R 791.6641
Source: 1997 AACS.

R 791.6643
Source: 1997 AACS.

R 791.6645
Source: 1997 AACS.

PART 7. PAROLE, REPRIEVE, AND COMMUTATION OF SENTENCE

R 791.7701
Source: 1997 AACS.

R 791.7705
Source: 1997 AACS.

R 791.7710
Source: 1997 AACS.

R 791.7715
Source: 1996 AACS.

R 791.7716
Source: 1996 AACS.

R 791.7720
Source: 1997 AACS.

R 791.7725
Source: 1997 AACS.

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R 791.7730

Source: 1996 AACS.

R 791.7735

Source: 1988 AACS.

R 791.7740

Source: 1988 AACS.

R 791.7745

Source: 1988 AACS.

R 791.7750

Source: 1988 AACS.

R 791.7755

Source: 1997 AACS.

R 791.7760

Source: 1996 AACS.

R 791.7765

Source: 1996 AACS.

R 791.7770

Source: 1997 AACS.

PART 8. YOUTHFUL TRAINEES

R 791.8801

Source: 1997 AACS.

R 791.8810

Source: 1997 AACS.

R 791.8820

Source: 1997 AACS.

PART 9. PROBATION

R 791.9910

Source: 1993 AACS.

R 791.9930

Source: 1993 AACS.

PART 10. INTERSTATE COMPACT ON PAROLE AND PROBATION

R 791.10001

Source: 1997 AACS.